

Sacramento Suburban Water District

Public Works Contracting Policy

Adopted: December 20, 2004

Ratified without Changes: September 19, 2022

Introduction

Under sections 31005 and 31049 of the California Water Code, County Water Districts may contract for the construction of public works projects. Under these provisions, the Sacramento Suburban Water District has broad discretion to contract for the construction of public works. The Board of Directors desires to provide District ratepayers the best value for the revenues spent on District public works projects. In determining best value, District will develop procedures that will include the following, as appropriate:

- Contractor Qualifications
- Quality of Service
- Quality of Product
- Schedule
- Acceptable Contract Terms, Including Cost
- Contractor's Reputation, History, and/or Performance on Similar Projects
- District Costs of Contract Management including District staff time

The Board of Directors desires to maintain flexibility for staff to contract District public works projects. Also, the Board desires to treat contractors working for the District in a fair and equitable manner to help ensure that the ratepayers procure the highest quality projects for the lowest reasonable cost with a low likelihood of contractor claims and bid protests. Methods of awarding contracts for public works projects shall be selected to produce the greatest economic advantage to District ratepayers, and shall be transparent and consistent with the method selected. Public works contracting processes also will avoid providing any favoritism or unfair advantage to individual contractors. Procedures developed for this policy will ensure proper District/contractor relationships.

Depending on the circumstances driving the need for a public works project, District staff may use a variety of methods to contract for that project. These methods may include, but are not limited to, the following:

- Design/Build Contracting
- Emergency Contracting
- Force Account Contracting
- Open Bid Contracting
- Multi-Year ("Master Services") Contracting

- Pre-Qualification Bid Contracting
- Request for Qualifications / Request for Proposal
- Sole Source Negotiations
- Solicitation of Price Quotes

The General Manager has the discretion to authorize staff to choose the appropriate contracting method, taking into consideration the project's requirements, available funds, effects on ratepayers, impacts on District operations, applicable legal and regulatory requirements, and any applicable grant or loan funding requirements. Staff will document the reasons for choosing a particular contracting method and, when appropriate, report them to the Board.

100.00 Purpose

The primary purpose of this policy is to provide guidance to District staff on Public Works Contracting practices so that the District's ratepayers receive the best value from public works contracts awarded by the District.

200.00 Authority

The General Manager is designated as the District's contracting officer with the authority to award and execute contracts binding the District to construction of public works projects. The purchasing authority and limitations of the General Manager are determined upon adoption of the annual Budget and in accordance with the District's Budget Policy (PL - Fin 012). Board approval of contracts is required when contract amounts exceed the purchasing authority of the General Manager. The General Manager has the authority to appoint designees, such as the Assistant General Manager and/or the Engineering Manager, to act on his/her behalf, subject to this Policy and to the establishment of procedures and controls governing such designees' authority.

Requirements for separate purchases of non-Public Works services, such as materials (including supplies, inventory, and equipment) and trade services, are set forth in the District's Procurement Policy (PL - Fin 005).

The Board, at its discretion, may direct the manner in which a particular public works contractor is selected and/or how the contract is awarded. The Board may delegate actions under this policy to a Board committee.

300.00 Procedure

The General Manager will maintain procedures for each method of contracting in conformance with this policy. Staff will utilize the method of contracting that best meets District needs. When time allows and it best suits the needs of the District, the District will utilize generally accepted methods to acquire competitive pricing to achieve this objective. Specific procedures for obtaining competitive pricing from competing contractors will follow District Policies.

400.00 Incorporation of Sustainability Policy

Whenever prudent, staff will incorporate applicable principles of the District's Environmental Sustainability Policy (PL - Adm 005) into the projects constructed.

500.00 Policy Review

This Policy shall be reviewed at least biennially.